

ARTICLE 11

Tariffs

1. For the purposes of this Article:

- a) "tariff" means a publication which includes all rates, fares, charges, conditions of carriage, classifications, rules, regulations, related practices and services, for air transportation of passengers and their baggage and cargo but excludes remuneration and conditions for the carriage of mail;
- b) "price" means any fare, rate or charge contained in tariffs (including frequent flyer plans or other benefits provided in association with air transportation) for the carriage of passengers (including their baggage) and/or cargo (excluding mail) and the conditions directly governing the availability or applicability of the fare, rate or charge but excludes general terms and conditions of carriage;
- c) "general terms and conditions of carriage" means those terms and conditions contained in tariffs which are broadly applicable to the agreed services and not directly related to any price.

2. The primary consideration in the establishment of prices for transportation on the agreed services is market forces. The Contracting Parties shall permit the tariffs referred to in this Article to be developed individually or, at the option of the designated airlines, through coordination with each other or with other airlines. A designated airline shall be responsible only to its own aeronautical authorities for the justification of its prices.

3. Each Contracting Party may require tariffs for transportation on the agreed services to be filed with its aeronautical authorities in a manner and format acceptable to those aeronautical authorities. Where the filing of prices is required, they shall be received by the aeronautical authorities at least seven (7) days before the proposed effective date, or a shorter period which may be accepted by the aeronautical authorities.

4. Each designated airline of the Contracting Parties shall have the right to match any publicly available lawful price of any air carrier for air transportation on the specified routes between the territories of the Contracting Parties and between the territory of the other Contracting Party and any third country. The aeronautical authorities of the other Contracting Party may require the designated airline proposing the price to provide satisfactory evidence of the availability of the price being matched. A price introduced for matching purposes shall remain in effect only for the period of availability of the price being matched. The filing, if required, shall be received by the aeronautical authorities at least one (1) day before the proposed effective date.